



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/927,163	08/09/2001	John Wilkes	10006371-1	4638

7590 07/23/2009
HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

LY, ANH

ART UNIT	PAPER NUMBER
----------	--------------

2162

MAIL DATE	DELIVERY MODE
-----------	---------------

07/23/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 09/927,163	Applicant(s) WILKES, JOHN	
	Examiner ANH LY	Art Unit 2162	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-33 is/are pending in the application.
- 4a) Of the above claim(s) 26 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 and 27-33 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 09 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is response to Remand dated 6/24/09.

Reopening of Prosecution after Appeal Brief

2. In view of the Appeal Brief filed on 12/11/2008, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37.

The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/John Breene/

Supervisory Patent Examiner, Art Unit 2162

3. Claim 26 was cancelled.

4. Claims 1-25 and 27-33 are pending in this application.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 15, 22, 25, 30 and 32-33 rejected under 35 U.S.C. 102(e) as being anticipated by Pub. No.: US 20010054131 A1 to Alvarez, II et al. (hereinafter ALVAREZ).

With respect to claim 15, ALVAREZ teaches an article of manufacture comprising a computer usable medium having data stored thereon and having computer readable program code stored thereon, the computer readable program code including a first routine for accessing the data in response to a request for access to the data in an archival format and a second routine for accessing the data in response to a request for access to the data in a non-archival format (system memory storing two software modules, routines, or algorithms with program codes or instructions: compressed format and non-compressed or decompressed format; a memory storing two software module or routine for accessing data such as compressed and decompressed software algorithms or program codes for archive files or data stored on archive storage such as

tapes: page 1, paragraph 0010, lines 13-19; page 2, 0015, lines 4-10; page 20, 0288, lines 1-6 and page 30, 0422, lines 16-20 and also see page 38, paragraphs 0538-0538).

With respect to claim 22, ALVAREZ teaches an article of manufacture comprising a computer usable medium having data stored thereon and having computer readable program code stored thereon, the computer readable program code including a first routine for accessing the data in response to a request from a first target system type and a second routine for accessing the data in response to a request from a second target system type (System memory storing two software modules, routines, or algorithms with program codes or instructions: compressed format and non-compressed or decompressed format; the first type of data is compressed data and the second type of data is decompressed data; the software algorithms or program codes stored on the memory in order to do these two kinds of accessing archived files or data stored on the archived storage such as tapes: page 1, paragraph 0010, lines 13-19; page 2, 0015, lines 4-10; page 20, 0288, lines 1-6 and page 30, 0422, lines 16-20; also, page 38, paragraphs 0538-0539).

With respect to claim 25, ALVAREZ teaches an article of manufacture comprising a computer usable data storage medium having data stored thereon and having computer readable program code stored on secondary storage associated with the data storage medium, the computer readable program code including a first routine for accessing the data in response to a request of a first request type and a second routine for accessing the data in response to a second request type, wherein the secondary storage is built into a cartridge for the data storage medium (System memory storing

two software modules, routines, or algorithms with program codes or instructions: compressed format and non-compressed or decompressed format; a memory storing two software module or routine for accessing data such as compressed and decompressed software algorithms or program codes and accessing files or data stored on the archive storage: page 1, paragraph 0010, lines 13-19; page 2, 0015, lines 4-10; page 20, 0288, lines 1-6 and page 30, 0422, lines 16-20 and tape devices for read/write data: page 38, paragraphs 0536-0539).

With respect to claim 30, ALVAREZ teaches wherein data storage medium is removable (data files and software programs are stored on the storage medium such as removable DVD, CD and floppy disk (para 0006, 0023, 0053, 0154, and 0525).

With respect to claim 32, ALVAREZ teaches wherein data storage medium is removable (data files and software programs are stored on the storage medium such as removable DVD, CD and floppy disk (para 0006, 0023, 0053, 0154, and 0525).

With respect to claim 33, ALVAREZ teaches wherein data storage medium is removable (data files and software programs are stored on the storage medium such as removable DVD, CD and floppy disk (para 0006, 0023, 0053, 0154, and 0525).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 6-12, 16-21, 23 and 28 rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2001/0054131 A1 to Alvarez, II et al. (hereinafter ALVAREZ) in view of US Patent No.: 5,813,009 issued to Johnson et al. (hereinafter JOHNSON).

With respect to claim 1, ALVAREZ teaches a method of retrieving data from a data storage medium (retrieving data stored on the archive storage: page 2, 0023, lines 10-15; page 26, 0375, lines 1-10; 0380, lines 1-5 and page 27, 0386, lines 1-3), comprising:

loading a program from the data storage medium into a computer system, the program including at least a first routine for responding to a first request type for access to data stored on the data storage medium and a second routine for responding to a second request type for access to the same data stored on the data storage medium, the data being stored in accordance with an archival format (system memory storing two software modules, routines, or algorithms with program codes or instructions: compressed format and non-compressed or decompressed format; the software program stored on the memory having two program codes or modules or routine to process the archived file or data stored on the archive storage such as tape: page 1, paragraph 0010, lines 13-19; page 2, 0015, lines 4-10; page 20, 0288, lines 1-6 and page 30, 0422, lines 16-20; also, page 38, paragraphs 0538-0539);

receiving a request for access to data stored on the data storage medium (the requesting unit receiving the requests for accessing the data or files stored on

the archive storage: page 3, 0026, lines 1-14, 0029, lines 1-10 and 0031, lines 3-12);
and

determining whether the request is of the first type or the second type
(compressing or decompressing data: figs. 6-7; page 12, 0187, lines 1-30 and 0188,
lines 1-25).

ALVAREZ teaches retrieving or accessing file or data stored on the archive
storage via a program code or software routines stored on a storage medium such as
memory with two different software algorithms or routine for compressing and
decompressing file or data and receiving request to access the data or file and
determining the type of access such as compressing or decompressing data or file.
ALVAREZ does not explicitly teach calling the first routine for accessing the data when
the request is of the first type and calling the second routine for accessing the data
when the request is of the second type; and presenting the requested data as claimed.

However, JOHNSON teaches calling the utility to access the data and displaying
the data (col. 20, lines 1-10 and col. 28, lines 31-40; col. 19, lines 50-67). Also,
JOHNSON teaches searching in response to queries or requests for information, data
formats and file directory or file structure of files stored in the system (col. 7, lines 6-67,
col. 8, lines 1-35; col. 11, lines 22-24 and col. 14, lines 71-15); volumes (col. 15, lines
30-35 and col. 16, lines 16-22); image copy of data and requesting type to the system
(col. 18, lines 53-62 and col. 20, lines 36-45 and col. 28, lines 5-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at
the time the invention was made to modify the teachings of ALVAREZ with the

teachings of JOHNSON. One having ordinary skill in the art would have found it motivated to utilize the use of calling the utility to access the data and presenting the result of the data as disclosed (JOHNSON's col. 20, lines 1-10 and col. 1, lines 50-67), into the system of ALVAREZ for the purpose of retrieving of data of the archival of documents and outputting the data by presenting to the user (JOHNSON's col. 1, lines 5-10, and 50-55).

With respect to claims 6 and 8-11, ALVAREZ teaches a method of retrieving data from a data storage medium as disclosed in claim 1.

ALVAREZ teaches retrieving or accessing file or data stored on the archive storage via a program code or software routines stored on a storage medium such as memory with two different software algorithms or routine for compressing and decompressing file or data and receiving request to access the data or file and determining the type of access such as compressing or decompressing data or file. ALVAREZ does not explicitly teach wherein the first request type includes a request for one or more files from a file system; wherein the second request type includes a request for one or more logical volumes; wherein the second request type includes a request for an image copy of the data; wherein the first request type is by a first target system type and the second request type is by a second target system type; and wherein said presenting the requested data includes formatting the data in accordance with the target system type as claimed.

However, JOHNSON teaches searching in response to queries or requests for information, data formats and file directory or file structure of files stored in the system

(col. 7, lines 6-67, col. 8, lines 1-35; col. 11, lines 22-24 and col. 14, lines 71-15); volumes (col. 15, lines 30-35 and col. 16, lines 16-22); image copy of data and requesting type to the system (col. 18, lines 53-62 and col. 20, lines 36-45 and col. 28, lines 5-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ with the teachings of JOHNSON. One having ordinary skill in the art would have found it motivated to utilize the use of calling the utility to access the data and presenting the result of the data as disclosed (JOHNSON's col. 20, lines 1-10 and col. 1, lines 50-67), into the system of ALVAREZ for the purpose of retrieving of data of the archival of documents and outputting the data by presenting to the user (JOHNSON's col. 1, lines 5-10, and 50-55).

With respect to claim 7, ALVAREZ teaches wherein said presenting includes reformatting all of the data as a file structure (page 2, 0023, lines 1-15; page 3, 0026-0027; page 10, 0154, lines 1-30 and 0155).

With respect to claim 12, ALVAREZ teaches wherein the program includes information about the data (page 8, 0136, lines 1-10; 0137, lines 1-8 and page 10, 0154m4, lines 1-18).

With respect to claims 16-19 and 21, ALVAREZ teaches an article of manufacture as disclosed in claim 15.

ALVAREZ teaches retrieving or accessing file or data stored on the archive storage via a program code or software routines stored on a storage medium such as

memory with two different software algorithms or routine for compressing and decompressing file or data and receiving request to access the data or file and determining the type of access such as compressing or decompressing data or file. ALVAREZ does not explicitly teach wherein said second routine supports accessing the data as a logical volume; wherein said first routine supports accessing the data as an image copy; wherein the second routine supports accessing all of the data as a file structure; wherein the second routine supports accessing the data as at least one specified file; and wherein the information about the data includes a file system directory. e as claimed.

However, JOHNSON teaches file directory or file structure of files stored in the system (col. 11, lines 22-24 and col. 14, lines 71-15); volumes (col. 15, lines 30-35 and col. 16, lines 16-22); image copy of data and requesting type to the system (col. 18, lines 53-62 and col. 20, lines 36-45 and col. 28, lines 5-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ with the teachings of JOHNSON. One having ordinary skill in the art would have found it motivated to utilize the use of calling the utility to access the data and presenting the result of the data as disclosed (JOHNSON's col. 20, lines 1-10 and col. 1, lines 50-67), into the system of ALVAREZ for the purpose of retrieving of data of the archival of documents and outputting the data by presenting to the user (JOHNSON's col. 1, lines 5-10, and 50-55).

With respect to claim 20, ALVAREZ teaches wherein the program code includes information about the data (page 8, 0136, lines 1-10; 0137, lines 1-8 and page 10, 0154m4, lines 1-18).

With respect to claim 23, ALVAREZ teaches an article of manufacture as disclosed in claim 22.

ALVAREZ teaches retrieving or accessing file or data stored on the archive storage via a program code or software routines stored on a storage medium such as memory with two different software algorithms or routine for compressing and decompressing file or data and receiving request to access the data or file and determining the type of access such as compressing or decompressing data or file. ALVAREZ does not explicitly teach wherein said program presents the requested data formatted in accordance with the target system type as claimed.

However, JOHNSON teaches file directory or file structure of files stored in the system and image copy of data and requesting type to the system (col. 11, lines 22-24 and col. 14, lines 71-15; col. 18, lines 53-62 and col. 20, lines 36-45 and col. 28, lines 5-20).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ with the teachings of JOHNSON. One having ordinary skill in the art would have found it motivated to utilize the use of calling the utility to access the data and presenting the result of the data as disclosed (JOHNSON's col. 20, lines 1-10 and col. 1, lines 50-67), into the system of ALVAREZ for the purpose of retrieving of data of the archival of

documents and outputting the data by presenting to the user (JOHNSON's col. 1, lines 5-10, and 50-55).

With respect to claim 28, ALVAREZ teaches wherein data storage medium is removable (data files and software programs are stored on the storage medium such as removable DVD, CD and floppy disk (para 0006, 0023, 0053, 0154, and 0525).

9. Claims 2-5, 13-14, 24 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2001/0054131 A1 to Alvarez, II et al. (hereinafter ALVAREZ) in view of US Patent No.: 5,813,009 issued to Johnson et al. (hereinafter JOHNSON) and further in view of Pub. No.: US 2002/0152194 A1 to SATHYANARAYAN.

With respect to claims 2-5, ALVAREZ in view of JOHNSON discloses a method of retrieving data from a data storage medium as discussed in claim 1.

ALVAREZ and JOHNSON disclose substantially the invention as claimed.

ALVAREZ and JOHNSON do not explicitly teach wherein the first routine implements a first set of operations and the second routine implements a second set of operations; wherein the first set of operations includes file system operations; wherein the second set of operations includes standardized archival operations; and wherein the second set of operations includes operations selected from CPIO and TAR as claimed.

However, SATHYANARAYAN teaches file system operations such as creation or generation, copying, retrieving or extracting of file directories and archival utility and CPIO and TAR operations (para 0001, 0009, 0018, 0024-0025; 0030 and 0032-0038);

file directories (abstract, para 0018, 0024, 0025, also, see para 0030 and 0049) and archival format (para 0005 and 0007).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ in view of JOHNSON with the teachings of SATHYANARAYAN by incorporating the use of file system operations such as retrieving, extracting or copying and archiving operations such as CPIO and TAR operations as disclosed (SATHYANARAYAN's paragraphs 0009, 0018, 0032-0034), into the system of ALVAREZ for the purpose of having archiving utilities for the Unix operating system such as CPIO and TAR and file system operations such as reading, writing and restoring operations, thereby, speeding up archival operations and a copy process is also speeded up by transferring data from /to data storage media and to minimize problems caused by the different types of storage devices having different data storage formats (SATHYANARAYAN's page 1, paragraphs 0003-0007).

With respect to claims 13-14, ALVAREZ in view of JOHNSON discloses a method of retrieving data from a data storage medium as discussed in claim 1.

ALVAREZ and JOHNSON disclose substantially the invention as claimed.

ALVAREZ and JOHNSON do not explicitly teach wherein the information about the data includes a file system directory; and wherein the data is stored on the data storage medium as raw data blocks as claimed.

However, SATHYANARAYAN teaches file directories (abstract, page 2, 0018, lines 1-11, 0024, lines 1-10 and 0025, lines 1-9; also, see page 3, 0030, page 4, 0049).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ in view of JOHNSON with the teachings of SATHYANARAYAN by incorporating the use of file system operations such as retrieving, extracting or copying and archiving operations such as CPIO and TAR operations as disclosed (SATHYANARAYAN's paragraphs 0009, 0018, 0032-0034), into the system of ALVAREZ for the purpose of having archiving utilities for the Unix operating system such as CPIO and TAR and file system operations such as reading, writing and restoring operations, thereby, speeding up archival operations and a copy process is also speeded up by transferring data from /to data storage media and to minimize problems caused by the different types of storage devices having different data storage formats (SATHYANARAYAN's page 1, paragraphs 0003-0007).

With respect to claim 24, ALVAREZ in view of JOHNSON discloses an article of manufacture as discussed in claim 22.

ALVAREZ and JOHNSON disclose substantially the invention as claimed.

ALVAREZ and JOHNSON do not explicitly teach wherein the data is stored on the data storage medium as raw data blocks as claimed.

However, SATHYANARAYAN teaches file directories (abstract, page 2, 0018, lines 1-11, 0024, lines 1-10 and 0025, lines 1-9; also, see page 3, 0030, page 4, 0049).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ in view of JOHNSON with the teachings of SATHYANARAYAN by incorporating the use of file

system operations such as retrieving, extracting or copying and archiving operations such as CPIO and TAR operations as disclosed (SATHYANARAYAN's paragraphs 0009, 0018, 0032-0034), into the system of ALVAREZ for the purpose of having archiving utilities for the Unix operating system such as CPIO and TAR and file system operations such as reading, writing and restoring operations, thereby, speeding up archival operations and a copy process is also speeded up by transferring data from /to data storage media and to minimize problems caused by the different types of storage devices having different data storage formats (SATHYANARAYAN's page 1, paragraphs 0003-0007).

With respect to claim 27, ALVAREZ in view of JOHNSON discloses an article of manufacture as discussed in claim 25.

ALVAREZ and JOHNSON disclose substantially the invention as claimed.

ALVAREZ and JOHNSON do not explicitly teach wherein the data is stored on the data storage medium as raw data blocks as claimed.

However, SATHYANARAYAN teaches file directories (abstract, page 2, 0018, lines 1-11, 0024, lines 1-10 and 0025, lines 1-9; also, see page 3, 0030, page 4, 0049).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ in view of JOHNSON with the teachings of SATHYANARAYAN by incorporating the use of file system operations such as retrieving, extracting or copying and archiving operations such as CPIO and TAR operations as disclosed (SATHYANARAYAN's paragraphs 0009, 0018, 0032-0034), into the system of ALVAREZ for the purpose of having

archiving utilities for the Unix operating system such as CPIO and TAR and file system operations such as reading, writing and restoring operations, thereby, speeding up archival operations and a copy process is also speeded up by transferring data from /to data storage media and to minimize problems caused by the different types of storage devices having different data storage formats (SATHYANARAYAN's page 1, paragraphs 0003-0007).

10. Claims 29 and 31 rejected under 35 U.S.C. 103(a) as being unpatentable over Pub. No.: US 2001/0054131 A1 to Alvarez, II et al. (hereinafter ALVAREZ) in view of Pub. No.: US 2002/0152194 A1 to SATHYANARAYAN.

With respect to claim 29, ALVAREZ discloses an article of manufacture as discussed in claim 15.

ALVAREZ teaches retrieving or accessing file or data stored on the archive storage via a program code or software routines stored on a storage medium such as memory with two different software algorithms or routine for compressing and decompressing file or data and receiving request to access the data or file and determining the type of access such as compressing or decompressing data or file. ALVAREZ does not explicitly wherein the data is stored on the data storage medium as raw data blocks as claimed.

However, SATHYANARAYAN teaches file directories (abstract, page 2, 0018, lines 1-11, 0024, lines 1-10 and 0025, lines 1-9; also, see page 3, 0030, page 4, 0049).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ with the

teachings of SATHYANARAYAN. One having ordinary skill in the art would have found it motivated to utilize the use of having archiving utilities for the Unix operating system such as CPIO and TAR and file system operations such as reading, writing and restoring operations, thereby, speeding up archival operations and a copy process is also speeded up by transferring data from /to data storage media and to minimize problems caused by the different types of storage devices having different data storage formats (SATHYANARAYAN's page 1, paragraphs 0003-0007).

With respect to claim 31, ALVAREZ discloses an article of manufacture as discussed in claim 22.

ALVAREZ teaches retrieving or accessing file or data stored on the archive storage via a program code or software routines stored on a storage medium such as memory with two different software algorithms or routine for compressing and decompressing file or data and receiving request to access the data or file and determining the type of access such as compressing or decompressing data or file. ALVAREZ does not explicitly wherein the data is stored on the data storage medium as raw data blocks and wherein the data is stored in accordance with an archival format as claimed.

However, SATHYANARAYAN teaches file directories (abstract, page 2, 0018, lines 1-11, 0024, lines 1-10 and 0025, lines 1-9; also, see page 3, 0030, page 4, 0049) and archival format (page 1, paragraphs 0005, lines 9-10 and 0007, lines 3-7).

Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify the teachings of ALVAREZ with the

teachings of SATHYANARAYAN. One having ordinary skill in the art would have found it motivated to utilize the use of having archiving utilities for the Unix operating system such as CPIO and TAR and file system operations such as reading, writing and restoring operations, thereby, speeding up archival operations and a copy process is also speeded up by transferring data from /to data storage media and to minimize problems caused by the different types of storage devices having different data storage formats (SATHYANARAYAN's page 1, paragraphs 0003-0007).

Contact Information

11. Any inquiry concerning this communication or earlier communications from the examiner should be directed to ANH LY whose telephone number is (571) 272-4039 or via E-Mail: ANH.LY@USPTO.GOV (Written Authorization being given by Applicant (MPEP 502.03 [R-2])) or fax to **(571) 273-4039** (unofficial fax number directly to examiner's office). The examiner can normally be reached on TUESDAY – THURSDAY from 8:30 AM – 3:30 PM. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **John Breene**, can be reached on **(571) 272-4107** or Primary Examiner, **Jean Fleurantin**, can be reached on **(571) 272-4035**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you

Art Unit: 2162

have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). Any response to this action should be mailed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231, or faxed to:

Central Fax Center: (571) 273-8300.

Anh Ly /AL/
Examiner GAU: 2162
JUL. 17th, 2009

/John Breene/
Supervisory Patent Examiner, Art Unit 2162